

**MINUTES  
REPRESENTATIVE TOWN MEETING  
OCTOBER 19, 2004**

RECEIVED

OCT 28 2004

**CALL TO ORDER**

A Special Meeting of the Representative Town Meeting was held on Tuesday, October 19, 2004 at the Darien Town Hall. Donna Rajczewski, Town Clerk, called the meeting to order at 8:25 p.m.

Upon Roll Call, the following members were present:

From District I, there were 5 members present, 12 absent.  
From District II, there were 9 members present, 8 absent.  
From District III, there were 6 members present, 10 absent.  
From District IV, there were 8 members present, 9 absent.  
From District V, there were 10 members present, 3 absent.  
From District VI, there were 13 members present, 3 absent.

The absentees from District I were: Coburn, Cook, D'Andrea, Gruppo, Hoyt, Puzyk, Sauerberg, Scudder, Smith, Stewart, Wells, Weihs.

The absentees from District II were: Cohen, Coley, Goersch, Howe, Magida, Maguire, Neville, Nottebohm.

The absentees from District III were: Concannon, Coyle, DeSoiza, Helms, Kelly, Lamendola, Luongo, Maroney, Moore, Young.

The absentees from District IV were: Artinian, Gebauer, Kemp, Kimbrell, Millar, Pontius, Pratt, Sohns, Waters-Bieluch.

The absentees from District V were: Balian, Hendrickson, Rubin.

The absentees from District VI were: Bletzer, Farren, Weismiller.

The Moderator, Karen Armour, assumed the Chair.

**ACCEPTANCE OF THE AGENDA**

**\*\* THE AGENDA WAS ACCEPTED BY UNIVERSAL CONSENT.**

**ANNOUNCEMENTS**

The Moderator said that the Garden Club would host a meeting with the president of "Inform", an agency working on controlling waste contamination and pollution, on November 16<sup>th</sup> at Town Hall at 10 a.m.

Selectman Barbara Thorne read the following announcements from First Selectman Klein:

Just a few reminders:

Please go to the Town Website to review Board of Selectmen Draft Agendas. They are subject to change, but at least you will have notice of matters of interest.



Dates to remember:

**Monday, October 25** - Public Hearings on Parking Fees, Barber Shop, Nail Salon and Pool ordinances – 8 p.m. in the auditorium.

**Thursday, October 28** - First Selectwoman's Night Out at Darien Library 7:30 9:00.

Topic - CL&P Glenbrook Cables Project - What the town is doing to minimize the impact on Darien and future steps.

**Monday, November 1** - Regular meeting of the Board of Selectmen.

**APPROVAL OF THE MINUTES OF THE SEPTEMBER 27, 2004 REGULAR MEETING**

**\*\* THE MINUTES WERE ACCEPTED BY UNIVERSAL CONSENT.**

**04-16**

**CONSIDERATION AND ACTION ON RESOLUTION TO ACCEPT PRE-DISASTER MITIGATION PLAN**

**\*\* JAMES PATRICK, DISTRICT V, CHAIRMAN OF THE PUBLIC SAFETY COMMITTEE, MOVED:**

**WHEREAS**, the Federal Disaster Mitigation Act of 2000 requires municipalities to approve a Pre-Disaster Mitigation Plan in order to be eligible for specific Federal funds; and

**WHEREAS**, a Pre-Disaster Mitigation Plan has been prepared for Connecticut Southwestern Region including Darien; and

**WHEREAS**, the Federal Government has requested municipalities to exercise their best efforts to comply with said Federal Regulations.

**NOW THEREFORE, BE AND IT IS HEREBY RESOLVED** that the Representative Town Meeting of the Town of Darien hereby adopts the Pre-Disaster Mitigation Plan prepared by the Southwestern Regional Planning Agency as its Mitigation Plan in accordance with said Federal Regulations.

**\*\* THE MOTION WAS SECONDED FROM THE FLOOR.**

Mr. Patrick read the report of the Public Safety Committee (attached).

**\*\* ITEM 04-16 CARRIED ON A RISING TALLY VOTE OF 50 IN FAVOR, 0 OPPOSED, 1 ABSTENTION.**

**04-17**

**CONSIDERATION AND ACTION ON BOARD OF EDUCATION ADMINISTRATOR'S CONTRACT**

**\*\* JAMES CALDWELL, DISTRICT I, CHAIRMAN OF THE EDUCATION COMMITTEE, MOVED:**



**WHEREAS**, on September 20, 2004, the Negotiating Subcommittees of the Darien Board of Education and the Darien Administrators Association arrived at an agreement covering salaries and other conditions of employment for the Darien Administrators; and

**WHEREAS**, the contract covers a three-year period commencing on July 1, 2005; and

**WHEREAS**, the Darien Administrators Association ratified this agreement on September 20, 2004; and

**WHEREAS**, the Board of Education of the Town of Darien approved this agreement on September 28, 2004; and

**WHEREAS**, the Collective Bargaining Agreement signed by the Darien Board of Education and the Darien Administrators Association has been filed with the Darien Town Clerk as required by law on September 30, 2004; and

**WHEREAS**, pursuant to §10-153d(b) of the Connecticut General Statutes, the terms of said contract shall be binding on the legislative body of the local school district unless said body rejects said contract at a special meeting called and convened for said purpose within thirty (30) days of the filing of the contract.

**NOW THEREFORE AND BE IT RESOLVED** that the Representative Town Meeting of the Town of Darien hereby approves the Collective Bargaining Agreement between the Darien Board of Education and the Darien Administrators Association covering salaries and other conditions of employment for the Darien Administrators for the three-year term beginning July 1, 2005. Said terms and conditions are more specifically set out in the contract filed with the Darien Town Clerk on September 30, 2004.

**\*\* THE MOTION WAS SECONDED FROM THE FLOOR.**

Mr. Caldwell said that the Education Committee met tonight, without a quorum. He read his report (attached).

Sallie Raleigh, Chairman of the Board of Education, read her written report (attached).

Seth Morton, District III, Chairman of Finance & Budget, said this committee did not have a quorum, so he was speaking on his own behalf. The key to the contract is in the givebacks and negotiated settlement regarding the medical side of the contract. In addition, the salary rates are for administrative positions, not at the teachers' level. It is a very hard time out there for some people so these increases have meaning for many of us.

Jamie Caldwell, District I, said it is important to understand that the twenty people in the contract are principals, assistant principals, etc; middle management. It is important to support this contract.

**\*\* ITEM 04-17 CARRIED ON A RISING TALLY VOTE OF 50 IN FAVOR, 0 OPPOSED, 1 ABSTENTION.**



**CONSIDERATION AND ACTION ON THE BOAT CLUB LEASE**

**\*\* CHERYL RUSSELL, DISTRICT V, CHAIRMAN OF THE PARKS & RECREATION COMMITTEE, MOVED:**

**WHEREAS**, the Parks and Recreation Commission has received and approved a request from the Darien Boat Club, Incorporated to amend and modify an existing lease by and between the Town of Darien and said Club by adding to said lease the property known as the Dinghy area to the lands that said Club currently manages; and

**WHEREAS**, the area to be added to said lease is more particularly described in the Schedule B attached to the proposed amendment and modification; and

**WHEREAS**, any such modification and amendment of a lease requires the approval of the Board of Selectmen and the Representative Town Meeting; and

**WHEREAS**, the Board of Selectmen has approved this first amendment and modification of lease at its regularly scheduled meeting of September 20, 2004.

**NOW THEREFORE, BE IT RESOLVED THAT** the Representative Town Meeting of the Town of Darien hereby approves this first amendment and modification of said lease by and between the Town of Darien and the Darien Boat Club, Incorporated.

**\*\* THE MOTION WAS SECONDED FROM THE FLOOR.**

Mrs. Russell read the report of the Parks & Recreation Committee (attached).

Gwynne Grimes, District I, Chairman of PZ&H, read the report of that committee (attached).

Selectman Barbara Thorne read First Selectman Klein's statement (attached).

Diane Conologue, District VI, said her concern is that the lease be amended to include that the Boat Club monitor the area and report to the Town. The Boat Club will help Parks & Recreation in its responsibilities and make improvements to the area. When the lease comes up for renewal in three years, they can then ascertain if this has been working. The lease can be terminated at any time within a six month period. Town Counsel has said this land does not have to be replaced; they are not giving property away. All work over \$5,000 must be approved by the Board of Selectmen. This town is a boating community and everyone in town can join the Boat Club. It is the best bargain in town at a fee of \$175. In closing, Ms. Conologue said she hoped that the RTM would approve the resolution.

Pat D'Arinzo, District V, asked if fishermen would be allowed to go past the fence if they are not members. He also asked if the dinghies could be used. In 1985, when this land was dedicated, it was for all of the public; now it will only be for club members. Town Counsel Fox said the concern is whether 7-131N would be violated. It was his opinion that it would not be. At the time of its passage, there was a good amount of discussion on the uses on the Senate floor. This property will continue to be recreation land and will still be under the control of the town, to a great extent.

RTM, October 19, 2004



Caroline Luz, Chairman of the Parks & Recreation Commission, said they support this lease amendment. It is a good way to give people a way to store their boats and does not impinge upon land that is used very much. Even so, there will still be boats strewn on the outside of the fence. These are boats with no tags and Parks & Recreation don't have enforcement powers. They hope, with help from the Boat Club, that they will be able to track the boat owners. In addition, they would like to be able to put up storage racks on their site for the smaller boats. Mrs. Luz said she hoped that the RTM would support this.

Selectman Linda Santarella said while the Board of Selectmen passed this, she was opposed. This will not be open to all residents of Darien, only those who are members of the Boat Club. This land becomes the property solely of the Darien Boat Club. She said that the Parks & Recreation Commission and Department have been negligent in their responsibility to manage and monitor that area. They need to look at the staffing of this department. Mrs. Santarella said she is adamantly opposed to this resolution. They should not be giving up this 70 feet to the Boat Club.

Neal Doying, District V, said it is not in the best interests of the town to reduce the amount of beachfront land residents have access to. This is adding additional fees to access the shoreline. If they have approximately 4,250 that are not members of the Boat Club and they are asked to pay \$70 additional, that is \$297,000 per year to monitor the dinghy situation.

Jim Cameron, District IV, said he serves on PZ&H and he and Mr. Doying voted against this lease. He said there is no stickering process in place. There is not enough staff or budget for Parks & Recreation. The real issue is that they are understaffed and under funded. Boat Club personnel are not deputized. His concern is that this is public land being turned over to private use. It is a bad precedent to set without much benefit to the Town.

Bill Tamme, District VI, said that the mail sent out by the Boat Club was inaccurate. He said that Parks & Recreation voted against this because it was a bad idea and because they did not have information.

Gary Swenson, District VI, a member of the Park & Recreation Committee, read his written comments.

Joseph Warren, District II, pointed out that some RTM members had left, and he questioned whether there was still a quorum.

A recount was taken, and there were only 49 members present, so the Moderator announced that the meeting was suspended for lack of a quorum. The meeting was suspended at 9:30 p.m.

Respectfully submitted,

Cheryl Telesco  
Telesco Secretarial Services



## APPENDIX

<u>DISTRICT I</u>	<u>04-16</u>	<u>04-17</u>
CALDWELL	YES	YES
COBURN	ABSENT	ABSENT
COOK	ABSENT	ABSENT
D'ANDREA	ABSENT	ABSENT
GARTLAND	YES	YES
GRIMES	YES	YES
GRUPPO	ABSENT	ABSENT
HOYT	ABSENT	ABSENT
PUZYK	ABSENT	ABSENT
SAUERBERG	ABSENT	ABSENT
SCHNEIDER	YES	YES
SCUDDER	ABSENT	ABSENT
SICKINGER	YES	YES
SMITH	ABSENT	ABSENT
STEWART	ABSENT	ABSENT
WELLS	ABSENT	ABSENT
WEIHS	ABSENT	ABSENT

<u>DISTRICT II</u>	<u>04-16</u>	<u>04-17</u>
BOLOTIN	YES	YES
CLARK, E.	YES	YES
CLARK, L.	YES	YES
COHEN	ABSENT	ABSENT
COLEY	ABSENT	ABSENT
GOERSCH	ABSENT	ABSENT
GRAY	YES	YES
HOWE	ABSENT	ABSENT
MAGIDA	ABSENT	ABSENT
MAGUIRE	ABSENT	ABSENT
NEVILLE	ABSENT	ABSENT
NOTTEBOHM	ABSENT	ABSENT
SULLIVAN, A.	YES	YES
SULLIVAN, C.	YES	YES
THORNE	YES	YES
WARREN	YES	YES
WEICKER	YES	YES

<u>DISTRICT III</u>	<u>04-16</u>	<u>04-17</u>
BARLOW	YES	YES
BAYNE	YES	YES
BOSEE	YES	YES
CONCANNON	ABSENT	ABSENT
COYLE	ABSENT	ABSENT
DESOIZA	ABSENT	ABSENT
GROGAN	YES	YES
HELMS	ABSENT	ABSENT
KELLY	ABSENT	ABSENT
LAMENDOLA	ABSENT	ABSENT
LUONGO	ABSENT	ABSENT
MARONEY	ABSENT	ABSENT
MOORE	ABSENT	ABSENT
MORTON	YES	YES
SMITH	YES	YES
YOUNG	ABSENT	ABSENT

<u>DISTRICT IV</u>	<u>04-16</u>	<u>04-17</u>
ARTINIAN	ABSENT	ABSENT
CAMERON	YES	YES
DAVIS	YES	YES
GEBAUER	ABSENT	ABSENT
KEMP	ABSENT	ABSENT
KIMBRELL	ABSENT	ABSENT
MILLAR	ABSENT	ABSENT
MORRISON	YES	YES
PONTIUS	ABSENT	ABSENT
PRATT	ABSENT	ABSENT
RAYHILL	YES	YES
SAVAGE	YES	YES
SCHOONMAKER	???	YES
SOHNS	ABSENT	ABSENT
WATERS-BIELUCH	ABSENT	ABSENT
WEYHE	YES	YES
WHITTIER	YES	YES



<u>DISTRICT V</u>	<u>04-16</u>	<u>04-17</u>
BALIAN	ABSENT	ABSENT
D'ARINZO	YES	YES
DOYING	YES	YES
GALVIN	YES	YES
HENDRICKSON	ABSENT	ABSENT
KRATKY	YES	YES
PATRICK	YES	YES
PEGLER	YES	YES
RITCHEY	YES	YES
RUBIN	ABSENT	ABSENT
RUSSELL	YES	YES
STEGELMANN	YES	YES
WENGER	YES	YES

<u>DISTRICT VI</u>	<u>04-16</u>	<u>10-17</u>
ANDREW	YES	YES
ARMOUR	ABSTAIN	ABSTAIN
BERL	YES	YES
BLETZER	ABSENT	ABSENT
CARROLL	YES	YES
CONOLOGUE	YES	YES
FARREN	ABSENT	ABSENT
FINGAR	YES	YES
MAGERAS	YES	YES
PLEHATY	YES	YES
RICCARDO	YES	YES
SWENSON	YES	YES
TAMME	YES	YES
WEEKS	YES	YES
WEISMILLER	ABSENT	ABSENT
WHITEHEAD	YES	YES